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THE  
EMPLOYABLES

EDMOND KELLY, M.A.

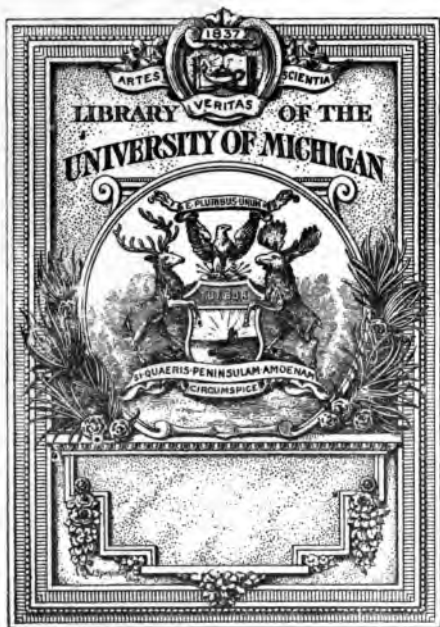
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# THE UNEMPLOYABLES



# THE UNEMPLOYABLES

BY

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WITH A PREFACE BY

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LONDON:

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## PREFACE.

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THE literature on the subject of the Unemployed (among whom one must include vagrants) is assuming voluminous proportions, and there is little that is new to be said about it; but Mr. Kelly's treatise has a special value in the full and interesting account which he gives of the Swiss system of labour colonies as carried out in the Canton of Berne. His description amplifies the excellent report of Mr. Preston Thomas on the Swiss colonies<sup>1</sup> in several important particulars.

The Berne system of graded labour colonies is, no doubt, the best that has yet been devised; but whether the adoption of a similar system in this country will enable

<sup>1</sup> This Report is printed in Appendix XVII. of the Report of the Departmental Committee on Vagrancy, 1906.



us to get rid of our workhouses and almshouses, and to free our prisons from a considerable proportion of their population, as Mr. Kelly contends it would do, is very doubtful. He appears to forget that our workhouses—especially country workhouses—already deal with their aged and infirm inmates much in the same way as is done at the Tannenhof colony for the same class. If the recommendations of the Departmental Committee on Vagrancy are carried out, provision will be made for the special treatment of the “habitual vagrant,” so that in our country the whole question turns on the abolition of the casual ward, and the establishment of labour colonies for the unemployed classes and the ordinary vagrant. Thus, if it could be shown that the labour colony system is the best way of dealing with these particular classes of our population, it would of course not be difficult to attach it to our present Poor Law system. What one wishes to be satisfied about is whether the Swiss system meets with much success in reforming those who are sent to *the colonies*, in returning them to an honest

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and independent life; and Mr. Kelly is not able to throw much light on this important matter. The interesting experiment of the auxiliary colonies round Witzwyl shows that the Berne authorities are not quite satisfied with the results of the reforming influences at work there.

The penal colony of Merxplas (Belgium) and the German free labour colonies have been a complete failure in this respect. Therefore it seems to me that the Departmental Committee were wise in limiting their recommendation to quasi-penal colonies for habitual vagrants to begin with. But in the establishment and management of such colonies there is a great deal to learn from the Swiss system, and thus Mr. Kelly's clear description of it is of very great value, and I hope that it may find a large circle of readers. I am sure that it is of great help in the solution of one of the most difficult problems of the present day.


W. CHANCE.

ORCHARDS,  
NR. GODALMING,  
1907.

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# THE UNEMPLOYABLES.

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## CHAPTER I.

### CLASSIFICATION.

MR. JOHN BURNS, in his pamphlet on the Unemployed, Fabian Tract No. 47, justly observes (p. 8) that until the differentiation of the labourer from the loafer takes place, the unemployed question can never be properly discussed and dealt with; and that till the "tramp, thief and ne'er-do-well," however pitiable they may be, are dealt with distinctly from the genuine worker, no permanent benefit will result to any of them.

With a view to accomplishing this, Mr. Burns suggests the organisation of completely equipped Labour Bureaux established in the town hall of every district council, parish or vestry area, where what he calls the "genuine unemployed" are to register, with a view to establishing communication between the men seeking work and the employers. These Labour Bureaux are to be connected with a Central Labour Exchange, which is to be organised

in conjunction with an Imperial Labour Bureau for Great Britain, the whole forming part of a "Ministry of Labour and Fine Arts," which will be charged with the work that is now being done by the London Unemployed Fund for London and similar organisations in other parts of England.

Sound as this plan may be for the relief of what Mr. Burns calls the "genuine unemployed," it does not deal at all with the permanent army of unemployed described by Mr. Burns as "loafers, thieves and ne'er-do-wells," to whom, Mr. Burns says, "little consideration should be shown."

Since this pamphlet of Mr. Burns' was written, the subject of unemployment has received much attention in England. Not only has the considerable increase of "genuine unemployed" made it indispensable to create various Unemployed Funds, but the fate of "loafers, thieves and ne'er-do-wells" has also had the careful attention of a Departmental Committee on Vagrancy, which has published a Report in three volumes of priceless value, and has concluded in favour of the adoption in England of the labour colony system found in different degrees of development in Holland, Germany, Belgium, and Switzerland.

It is impossible to read the debate of the House of Commons of the 30th of May, 1906, without being impressed with the fact that the speakers on that occasion, not excepting Mr. John Burns himself, have failed to distinguish in their observations

between the remedies applicable to the genuine unemployed and those applicable to the "thieves, loafers, and ne'er-do-wells," to whom, for the purposes of this article, it may be convenient to give the name of vagabond, although a more careful examination of the question will show that among "vagabonds" are often included cases which properly belong to the "genuine unemployed." This confusion seems chiefly evinced by the suggestion made on the part of some speakers that farm colonies should be organized for the purpose of dealing with the genuine unemployed, and by the refusal of Mr. Burns to apply the labour colony plan to the genuine unemployed, without any intimation that, however inapplicable they may be to the solution of the genuine unemployed problem, they constitute the only solution to the problem presented by vagrancy.

The confusion that exists on this subject is not to be wondered at, because as a matter of fact it is impossible to state at what moment the genuine unemployed degenerates into a vagabond and to what extent a man who seems at first sight a vagabond may not upon closer inspection become entitled to rank with the genuine unemployed. And this confusion is still further accentuated by the fact that the word "unemployed" is used by trade unions to include only the able-bodied working man who is idle because there is no employment for him; it is never used by them to include the vagabond, who of course belongs to the

class of unemployed as well as the more deserving working men.

It becomes necessary, if we are to come to any correct conclusion on the subject, to begin by some intelligent classification of the various groups of persons who come up for study under the title of the Unemployed.

There is a good classification to be found in Chapter 3 of Volume I. of the Report of the Departmental Committee on Vagrancy (pp. 24, 25), but even this one can with advantage be slightly modified.

For practical purposes we have to recognise that there are three distinct plans of classification :

#### I. CLASSIFICATION ACCORDING TO PHYSICAL STRENGTH.

##### *A. Able-Bodied.*

- (1) Able-bodied unemployed anxious to work.
- (2) Able-bodied unemployed accustomed to casual labour and willing only to work on odd jobs.
- (3) Able-bodied unemployed not willing to work at all.
- (4) Misdemeanants.

##### *B. Non Able-Bodied.*

- (1) Blameless unemployed who are unable to work through age, illness, or accident.
  - (2) Unemployed whose capacity for work has been affected by drink—
    - (a) Those whose physical incapacity is temporary, and
-

who can within reasonable time recover capacity to work upon being removed from the temptation to drink ;

(b) Those whose incapacity is permanent but who are capable of being restored to physical capacity after a sufficiently long treatment ;

(c) Incurables.

(3) Misdemeanants.

## II. CLASSIFICATION ACCORDING TO BLAME- LESSNESS.

### *A. Blameless.*

(1) Able-bodied anxious to work.

(2) Non-able-bodied unable to work through age, illness or accident.

### *B. Not Blameless.*

(1) Able-bodied willing to work at casual labour only.

(2) Able-bodied refusing to work.

(3) Drunkards.

(4) Misdemeanants.

## III. CLASSIFICATION ACCORDING TO CAUSE OF UNEMPLOYMENT.

### *A. Temporary.*

(1) Able-bodied anxious to work.

(2) Able-bodied willing to work at casual labour only.

### *B. Permanent.*

(1) Able-bodied who refuse to work.

(2) Able-bodied misdemeanants.



(3) Non-able-bodied unable to work in consequence of—

- (a) Age, illness or accident ;
- (b) Drunkenness ;
- (c) Misdemeanants.

The objects of this triple classification are threefold :

1. It is important to distinguish between the able-bodied and the non-able-bodied, because the problem as regards the first is purely a problem of finding work, whereas the problem as regards the non-able-bodied is rather a problem of fitting them for work.

2. It is important to distinguish between the blameless and the not blameless, because the treatment which will be justifiable in the latter case will not be justifiable in the former.

3. It is important to distinguish between the temporary and the permanent, because the effort to secure employment for only a brief period must be of a very different character from the effort to secure employment for a long one.

The plan proposed by Mr. Burns for the establishment of labour bureaux is admirably fitted in connection with relief works of a more or less temporary character, for dealing with the problem of what he calls the "genuine unemployed," but is entirely inadequate and unsuitable for dealing with those who are in a chronic state of unemployment owing to permanent conditions. It is for the treatment of these—for the segregation of

these from what may be regarded as the genuine unemployed, that the institution of labour colonies seems not only advisable but imperative.

Last, but not least, the classification according to culpability is of importance in determining the necessity of two classes of labour colonies; for obviously it would be unjust as well as unwise to herd with the "loafers, thieves and ne'er-do-wells," men who are unfitted for work through no fault of their own—that is to say, through age, illness or accident—and that other large class of unemployed who, while appearing to belong to the genuine unemployed, have really through long-continued unemployment so lost the habit of work as to be incapable of profiting by opportunities secured through exceptional and temporary relief works.

This last large class, which is deserving of pity rather than of blame, brings us to the study of perhaps the part of this question which has least been taken into consideration by practical philanthropists. In our classification a distinction has been carefully made between able-bodied anxious to work and those who, being accustomed to casual work, are only willing to give casual service. A distinction has also been made between those who have lost physical capacity through age, illness or accident, and those who have lost it through drunkenness. It is very difficult to determine at what moment the able-bodied working man can be blamed for lapsing into the army of casual labourers and acquiring the evil habits that result from casual

employment; and it is, again, a difficult task to state at what moment a man is to be blamed for the malady of the will which brings him to a point where he prefers vagabondage and mendicity to performing any useful work at all. Again, it is difficult to say at what time a man can be blamed who, after being debilitated through overwork has recourse to drink, and being unfitted for work thereby, is driven to petty larceny and worse.

The problem presented to a magistrate by every so-called vagabond who comes before him is practically insoluble by him; and it is in great part because the problem is insoluble that we find magistrates committing for short sentences, and thus giving rise to the "rounder" and the jail-bird.

Every vagabond, whether he has become so through temperamental deficiency, through unemployment or through drink, wears the same livery of rags: underfed, underbred and misunderstood, he stands before the court as a misdemeanant, whereas he may be only a victim—and a victim out of whom there is practically always some and generally much useful work to be got. But whether a victim or not, he is certainly a danger to the community; the few pence he begs, borrows or steals is spent in the public-house side by side with the element of our society most subject to the contagion of vagabondage; there he relates his adventures, brags of his independence, tempts his listeners to drink and seduces the young into sharing his fortunes; he spreads disease, physical

and moral, leaves a legacy of lice to every lodging where he rests ; and diligently undoes what little our compulsory education contributes to good citizenship.<sup>1</sup> Vagabondage is a veritable University of Vice ; for if the University is correctly defined as a system for the acquisition of useless knowledge, vagabondage may be defined as a system for the acquisition of useless vice ; we may be helpless as regards the criminal instincts that seem to be born in some men ; but as regards the acquired habits that result from vagabondage we are not helpless ; that British streets, highways and lodging-houses are infested by vagabonds is due to British indifference ; for if Parliament devoted to this question a fraction of the time it devotes to commercial interests, vagabondage and all its attending evils would long ago have disappeared from English soil. This it is the object of this pamphlet to prove ; and to this end an effort will be made to briefly recapitulate the system adopted in various countries to solve the question, point out the defects of each, and conclude in favour of the Swiss plan best developed at the colony near Neuchâtel known as Witzwyl.

<sup>1</sup> It is impossible to convey in a paragraph all the evils that result from vagabondage. They can only be gathered from actual experience or voluminous reading. Perhaps no one book serves better to illustrate the extent of the evil than Josiah Flint's "Tramping with Tramps," but this book should be supplemented by the testimony taken before the Departmental Committee on Vagrancy, particularly on the subject of the communication of disease and vermin. See Index.

There is, as a matter of fact, only one way of coming to a definite conclusion about the particular class to which a vagabond belongs, and this way is to commit him to an institution where he is obliged to work and where he is put into such human relation to the surveillants that they can exercise a wholesome influence over him if he is sensible to wholesome influence, and if not sensible to wholesome influence can subject him to the particular training his particular case may seem to require.

Has this in any measure. ever been attempted? It can be confidently stated that not only has it been attempted, but it has already given evidence not only of successful but of inexpensive operation, so that it may not unreasonably be hoped that if in England there were introduced such a system of colonies as is to be found slowly developing at Witzwyl in Switzerland, not only would the problem of vagrancy be solved but it would be solved without expense to the Government, and ultimately the solution would greatly diminish the expense of the criminal class and restore to the community all such persons of the vagrant and criminal classes as are capable of reformation.

## CHAPTER II.

### LABOUR COLONIES.

IN Holland, where labour colonies were originally started, there is very little effort to-day made to reform the vagabond. The scheme originally proposed by General van den Bosch included a plan of reformation by slowly spreading the population of labour colonies in homes of their own upon the land. The example set us by Holland must not be under-estimated. In the first place, the merit of original initiative belongs to Holland; in the second place, Holland has demonstrated that by this system the streets and highways can be rid of tramps, and that the cost of doing so through the agency of labour colonies is extremely small.

But in two respects the Dutch colonies fall short. They are not self-supporting and they have practically abandoned the effort of reforming the vagabond altogether.

In Belgium, which next deserves our attention in order of time—for the labour colony system in Belgium is a direct outgrowth of the same plan in Holland—we have an institution of extraordinary value for the purpose of illustrating the extremely valuable and even artistic work that can be got from the vagabond, and confirming the experience

of Holland that at a comparatively insignificant cost vagabondage can be abolished. The remarkable institution of Merxplas is invaluable as an object-lesson. There is hardly a trade that is not represented there. The enormous buildings of which this industrial village is composed is the work of the vagabonds. They have built the gas house and the machines used on the place, including the most delicate electrical apparatus. It is among the vagabonds that were found the architects who have drawn up the plans for the buildings, the draughtsmen who furnished the designs for their carpets, and the sculptors who moulded the statues that decorate their chapel. Every kind of weaving is done at Merxplas, from the commonest to the most perfected. Tiles, too, are manufactured there of every degree of quality and style ; wagons too, buttons, bags, and a great variety of other articles.

Merxplas is an industrial village rather than a farm colony. The farm buildings are models of cleanliness and hygiene, but the financial result therefrom is relatively small. This, perhaps, is one of the features of Merxplas which lends itself most to criticism, for we shall find when we study the colonies of Switzerland, which are practically self-supporting, that they are farms first and foremost, and the industrial element is only introduced in aid of the farm. But in criticising this feature of Merxplas account must be taken of its peculiar conditions. In the first place, it is of a very great size, accommodating no less than five to six

thousand misdemeanants. Amongst these there is a very large proportion of men who cannot be described as able-bodied, and the military system of surveillance in force there creates a penitentiary atmosphere which is at once inconsistent with profitable agricultural work and inconducive to reform. It is probable that in dealing with such a large mass of men as a population of six thousand, nothing less than a military system of surveillance is possible, and that the Witzwyl system of employing as surveillants men who themselves work with the inmates would prove inadequate. Suffice it to say here that once the mistake is made of creating a farm colony of so large a population as six thousand, military surveillance is probably indispensable, and with military surveillance comes the inevitable consequence that discipline is substituted for reformation and compulsion for co-operation. Nevertheless it is but fair to state that there is at Merxplas an admirable system for rewarding the colonists for good work by the distribution of tokens, which enable them to purchase tobacco, coffee, chocolate and other delicacies at the canteen. The impression produced by Merxplas is that it is as perfectly conducted a penal and industrial settlement as is consistent with its nature and size, and that all the features open to criticism are the necessary result of these. For example, although the opinion largely prevails that manufactures are more profitable than agriculture, on a careful examination of the subject



it will be found that while land is a difficult thing from which to derive income, it is an easy thing from which to derive nourishment, and thus agriculture is better suited to a vagrant colony than manufacture. To make money out of manufacture it is essential that the labour employed be skilled, whereas it is possible to get a livelihood out of land with labour that is unskilled. Vagabond labour will always be in part unskilled. Agriculture, therefore, is better suited to vagrant colonies than manufacture.

Again, a vagrant colony which is essentially agricultural and only secondarily industrial has the great advantage that it eliminates the competition with existing industries and free labour that all along has prevented the working man from giving a careful study to this question. Thus the Swiss colonies can be said to compete not at all with either free industry or free labour, whereas at Merxplas, although the authorities have endeavoured to confine their industries as much as possible to things which would not compete, they have, nevertheless, been led by the desire to reduce expenses into hiring out their labour to contractors: as for example, in the manufacture of buttons. It is inevitable that wherever the industrial element predominates over the agricultural, there will always be a temptation to sacrifice the questions of competition and reform to the question of finance, whereas where the agricultural feature predominates over the industrial, this temptation is eliminated.

It is probable that no Englishman will visit Merxplas without deciding that in the first place its success as an industrial establishment, with no better material than the refuse of the population, is an immense tribute to the intelligence, patience and skill of its Director, Mr. Louis Stroobant, but that notwithstanding this success, it is not an institution which it would be desirable to transplant into England. The hiring out of labour by contract, the large production of articles that compete with the products of free labour, the presence, although in a separate wing, of such vicious persons as *souteneurs*, will discredit the institution to an English critic. Merxplas therefore must be regarded as of value in demonstrating how much work can be obtained from the labour of vagabonds, but at the same time as furnishing a warning against the creation in England of *large industrial* villages when *small farm* colonies are equally available.

Germany can contribute little of interest to the English student, for although great credit must be given to Pastor Bodelschwing's efforts and the highly beneficent "*Verpflegungstationen*" which he has organised, and although there are a large number of farm colonies, all of which are contributing to strengthen the lessons already drawn from Merxplas, and although at Luhlerheim there is probably one of the best administered farm colonies in the world, nevertheless the fact that the German Empire is a confederation of States, and that the poor laws, while admirably administered in some

of these states, are administered with the greatest laxity in others, makes it impossible to point to any one result as furnishing sufficiently substantial grounds for determining a line of policy in England.

It is to Switzerland, therefore, that we at last come for a final word upon this subject. There is an excellent memorandum on the Swiss Colonies by H. Preston Thomas, printed in the Report of the Departmental Committee on Vagrancy of 1906 (App. XVII., Vol. III., p. 105), to which every person who desires information on the subject should refer. Out of this memorandum, however, I shall only take the points which are of peculiar interest, and add thereto some essential details that escaped his attention.

Mr. Preston Thomas begins his report as to the methods of dealing with vagrancy in Switzerland by stating that the exact extent of the diminution of mendicity in Switzerland "cannot be shown from statistics, for they do not exist; but it is generally admitted." He proceeds to compare the conditions which prevail in Italy, where it is impossible to take a walk without being pestered for alms at every turn, with the cessation of all such importunity "as soon as the Swiss frontier is crossed." Nevertheless, however true this may be of most of the cantons of Switzerland, the fact that every canton has the making and execution of its own laws on the subject makes its impossible to lay down any general rule applicable to the whole country. For the purposes of this pamphlet,

therefore, the word Switzerland will be used to refer only to the cantons of Switzerland in which the laws regarding vagrancy are of the latest type.

These laws begin by separating those described by Mr. Burns as "genuine unemployed" from the "thieves, loafers and ne'er-do-wells" who render this question so complicated in England. This is done by a system of travellers' relief book, issued by the Swiss Intercantonal Union, which includes fourteen out of the twenty-two cantons of which Switzerland is composed. This travellers' relief book sets forth all the facts necessary to identify and certify to the *bonâ fides* of its owner, and the possession of this book is sufficient to permit its owner to travel through the fourteen cantons above mentioned without any work whatever being exacted from him.<sup>1</sup>

<sup>1</sup> Admirable though be the system of travellers' relief books, it is by no means certain that the plan would find favour in England. The travellers' relief books correspond very closely to what was known as the "*livret*" required by French law under the Empire. This *livret* was strongly objected to by the French working men, for it was used by the employers as a method for blacklisting their discharged employees.

In 1890 the *livret* was abolished and there was substituted for it an obligation on the part of every employer to certify the date on which the working man in question entered his employment and the date on which he left it. It is probable that the English working man would have the same objection to the travellers' relief book as the French working-man had to the *livret*, and it is probable also that a certificate which confined itself to a statement of the dates upon which the employee entered and left would suffice if coupled

In this respect the Swiss system differs from that suggested by the Departmental Committee, which recommends that the wayfarer perform two hours' work to help to pay for his food and lodging. It is to the obvious advantage of the whole community that every man be employed, that is to say, be engaged in the work of production, in order that he may contribute his quota of production to make up for what he consumes. Even, therefore, if there were no mercy in our hearts for the genuine unemployed, it would be an act of wise administration to provide the genuine unemployed with work at the earliest possible moment. The sooner he gets this work the better, not only for him, but for the entire community. The fitful work done by the genuine unemployed during two hours per day would but little diminish the cost of maintaining the wayfarer, whereas it would sensibly increase the difficulty of finding a new place. It would probably cost as much to provide two hours' work for the wayfarer as the work he could do would pay for. The Swiss plan, therefore, of making the wayfarer system as simple as possible and hurrying the unemployed rapidly to his work seems preferable to the plan suggested by the Departmental Committee.

with some such method of identification as the finger-print. But by investigating and recording every questionable certificate, even this method of identification would be superfluous, and as it savours of the police it ought to be avoided if possible.

Another suggestion of the Departmental Committee that the casual wards be handed over to the police, and that the casual wards be employed not only for the lodging and maintenance of the *bonâ fide* unemployed, but also for the accommodation of that vast army of vagrants who have not been three times convicted of a misdemeanour, seems to indicate that the most valuable feature of the Swiss colony system was not present to the mind of the Committee when the Report was prepared, and introduces the next important feature of the Swiss treatment of vagrancy.

Having by this travellers' relief book given every genuine unemployed a method of proving his *bonâ fides*, all other vagrants are committed to institutions so that they can no longer complicate the unemployed problem and infest the public highways. This method of treatment may seem harsh to those who persist in misunderstanding the nature of the labour colony. So long as it is believed to represent a system of punishment, commitment to a labour colony is hardly to be distinguished from commitment to prison. If however, the labour colony is recognised not to be a place of imprisonment at all, but on the contrary a home where the indigent can be cared for, provided with work and given the habits of work that, when he is capable of acquiring them, will fit him once more for social life, commitment to a labour colony, instead of being regarded as a hardship or an infraction of personal liberty, will be


recognised as constituting a salutary system instigated by mercy for the indigent and above all justified as a system of social defence against all the evil, the crime and the misery that result therefrom.

Here we find the usefulness of the classification already made according to culpability and the necessity of distinguishing between the "thieves, loafers and ne'er-do-wells" and those who are unfitted for work through no fault of their own—that is to say, through age, illness or accident. The Swiss have recognised the importance of this classification by creating two kinds of labour colonies, differing from one another: the so-called forced labour colonies or *Zwangsarbeits-Anstalten* to which are committed all culpable vagrants; and free labour colonies, the doors of which are open to all indigent persons who are not culpable.

It has already been pointed out that it is impossible for a magistrate to distinguish between these two classes with such slender information as can be produced when a vagabond is brought before him for sentence, and that it is the impossibility of coming to a determination on this essential question which has brought about the magisterial habit of committing all vagrants for a short, expensive and ineffectual term. These two classes of labour colonies make it possible for a magistrate at once to assign all vagrants who come before him to one or the other of them, leaving the ultimate disposition of the vagrant to depend upon his

conduct in the labour colony itself. The magistrate must often regret having to punish a vagrant at all ; punishment is unjust to the blameless vagrant and injurious to the body politic, for by punishing a blameless vagrant with imprisonment, the magistrate has given him the first push over the fatal slope to crime from which he is not likely to recover. The existence, however, of two kinds of labour colonies, one of which is free and constitutes a home where the unfortunate can be cared for, and given such work as they can accomplish, makes it possible for the magistrate to dispose of all cases at once, and thereby clear the streets and highways of all the unemployed ; blameless and not blameless, that now infest them in England. Obviously under such a system magistrates will commit all vagrants who do not clearly come within the statutory definition of "incorrigible rogues" to the free colony, relying upon the director's applying to the court for transfer to the forced labour colony should occasion subsequently arise therefor. In this fashion no disgrace ought to attach to such commitment, and some better word than commitment should be found for such cases.<sup>1</sup> In this way magistrates will be relieved of the intolerable difficulty under which they now labour in dealing with vagrancy cases ; they can dispose of them *all* ; the genuine unemployed ought never to come

<sup>1</sup> An attempt to leave the free colony without the consent of the director ought to constitute an offence punishable by commitment to the forced colony.





before them; if they do their place is the casual ward and their remedy the wayfarer's ticket; the incorrigible rogues go to the forced labour colony, and *all the rest* to the free.

The advantage of this system ought not to need comment: it is the only way of taking the vagrant off the street and high road; but there is an incidental advantage which cannot be too strongly insisted on. The Report of the Departmental Committee repeats the experience of all those who have for the last century dealt with this subject: that *vagrancy is kept alive by indiscriminate almsgiving and such charities as shelters, soup kitchens, etc.* Mr. Preston Thomas intimates that vagrants have disappeared from Swiss highways because it is a misdemeanour under Swiss law to give alms. It is probable that in this one point Mr. Preston Thomas is mistaken. The giving of alms is not a misdemeanour in Holland nor in that "classic ground of poverty," Belgium, and yet there are no vagrants to be seen on the streets or highways of either of these countries. *Almsgiving is the necessary result of vagrancy*—not vagrancy the result of almsgiving; the evils undoubtedly react on one another and increase one another, but so long as there are merciful hearts in England the aspect of a shivering or hungry tramp will draw money from a well-filled pocket; it will even draw money from the ill-filled pocket of a working man—and all honour to the working man that it is so. To make it a misdemeanour to relieve want would be a

crime, *unless*, as in Switzerland, *every* case of want is provided for. This is exactly what the Swiss system of two-fold labour colonies accomplishes. But to make almsgiving a misdemeanour is totally unnecessary if the Swiss system is introduced ; for the introduction of it will remove all temptation : there will be no one left upon whom the injury of almsgiving can be inflicted.

There are a great many labour colonies in Switzerland, but attention will only be directed to one pair of them, which adjoin one another at Witzwyl and Tannenhof respectively, situated between Lake Neuchâtel and Lake de Bienne.

The colony of Witzwyl is a forced labour colony instituted by the canton of Berne. The colony at Tannenhof is a free colony started by individual philanthropists. These two colonies had separate directors until the increasing expense of Tannenhof and the diminishing expense of Witzwyl induced the board of directors of the Tannenhof institution to offer the directorship of the Tannenhof colony to Mr. Otto Kellerhals, who had succeeded in making the colony of Witzwyl self-supporting. They are now, therefore, both under the same direction. These colonies are both of them small. On the 31st of December, 1906, there were 156 inmates at Witzwyl, and 39 at Tannenhof. Both these colonies are essentially agricultural colonies, and although there are workshops, these last are purely secondary, the object of them being to utilise the services of those who are specially

fitted for industrial work, those who are unfitted for agricultural work, and even the agricultural labourers during that part of the day and the season in which it is impossible to work in the fields. The first thing that strikes the visitor at Witzwyl is the absence of all those features which render Merxplas attractive. The roads are not kept like the carriage-drive of a private park; the borders are not machine-mown and rolled, nor are the hedges trimmed like those of a suburban villa. The inmates do not work in squads, and the surveillants are not armed, nor is there the atmosphere of military discipline and order which characterises the Belgian institution. The roads, though inelegant, are good farm roads, the buildings are sound farm buildings; the surveillants are hardly distinguishable from the inmates, and work with them. To this last feature the director attaches great and merited importance. As he says in his report of 1904, by working with the men "it is easier to gain their confidence than by polished discourse in an office kept warm in the winter and fresh in the summer, where the inmate will never be able to rid himself of the impression that his superior has no idea of the difficulties he has to overcome nor of the hardship of the work he is called upon to undergo." Moreover the surveillants, by working with the inmates, not only earn their wages but serve by their example to give the atmosphere of work indispensable for the success of such an institution.

The nourishment is not only sufficient but is strengthening. The director states that good nourishment is the best means for curing drunkards and those who have fallen into a condition of physical degeneration.

There are very few escapes: from two to five per annum. There are two surveillants for ten to twelve inmates at Witzwyl. Every inmate has a cell of his own, which is locked upon him at night. These cells are lit by electricity, and the inmates are encouraged to decorate them so as to give them as home-like an appearance as possible. The walls of some of them are covered with pictures cut from newspapers, bits of carved wood, family photographs, evergreens, rushes, and all the other inexpensive methods of decoration which an ingenious person can find in such an environment. Conversation is not forbidden during work-time, but the presence of a surveillant keeps it free from the evils which penitentiary conversation is likely to involve. There are punishment cells which are similar to the other cells except that a plank is substituted for a bed. Months often pass without using these cells, and then, again, it is sometimes necessary to use them two or three times in a single month. Inmates who do not yield to the good influence of the place are brought by the director before a magistrate, and sent to a penitentiary. Those inmates who are deserving get Fr.5 a month for their work.

These are the financial results of the year 1905 :

The proceeds of the work-	
shop amounted to . . .	Fr. 12,202
Proceeds of agriculture . . .	140,549.41

After having paid all their expenses there remained a deficit of Fr.19,957.95. But the inmates during the year built the following :

A shed at Lindenhof . . .	Fr. 11,800
A stable for cows . . .	40,200
Installation of electricity at Eschenhof . . .	7,000
Installation of water-pipe . . .	4,500
Increase in machinery, tools, etc. . . . .	43,573.45
	<hr/>
	107,073.45

Deducting from this sum the deficit of Fr.19,957.95, which was furnished by the State, the balance shows a profit of Fr.87,115.50, represented by new buildings, machines, tools and improvements.

This excellent financial result is due to the fact that the director is a skilled farmer. Witzwyl, before it was purchased by the canton of Berne, was exploited by a company at a loss so great that the company failed and it was put up at public auction. Mr. Kellerhals, by the application to this domain of sound agricultural methods, has made it pay. It cannot be too often repeated that

the colony is agricultural rather than industrial. It will be seen that the proceeds for agriculture for 1905 amounted to Fr.140,549.41, whereas those from the workshops amounted only to Fr.12,202. The expenses of surveillance disappear in view of the fact that the surveillants earn their salary by working with the inmates.

But this is not all. This colony not only manages to pay its expenses, but also, by a very simple method, it reforms all those capable of reformation. The inmates are offered at the expiration of their term the choice of working for a period at the free colony of Tannenhof or of working in some of the numerous small colonies which the director is engaged in instituting around Witzwyl. This is perhaps the feature of Witzwyl which is most worthy of our consideration. It represents the natural growth of such an institution as Witzwyl and Tannenhof under the direction of a man who is as much concerned with reforming his inmates as with making the institution pay. Tannenhof includes not only vagrants but also indigent persons of the canton who are unfitted by age, illness or accident from earning their bread in the open market. The tariff of wages given at Tannenhof is therefore low, and able-bodied inmates of Witzwyl are unwilling to work at Tannenhof on account of the low rate of wages prevailing there. This naturally suggested to the director the idea of organising around Witzwyl small colonies to which the able-bodied inmates

Witzwyl could be sent after the expiration of their term and where they could be at once employed at a fair salary removed from the temptation to drink. There has sprung around Witzwyl therefore such colonies as Nusshof, Neuerhof, Eschenhof and Birkenhof, where the inmates of Witzwyl at the expiration of their term can not only save money but be gradually prepared for restoration to the open labour market. In the Appendix will be found a form of contract which is signed by these inmates at the expiration of their term in the forced colony whereby they agree to work for a fixed term. At these sub-colonies the inmates eat with their employers. They are allowed to smoke ; they have good nourishment ; they are not confined in their cells, and they generally come to such a good understanding with the managers that after departure they often return on a friendly visit. The director has even, in a very small way, begun reconstituting scattered families by furnishing them with a cottage for which they pay Fr.80. rent a year, by employing them on the colony and by furnishing to their wives and children lodging for a cow and ground enough to cultivate vegetables. This part of the experiment is comparatively new, but the director states that already some families are in a position which has made it possible for them not only to support themselves but also to begin to put away money.

The sub-colonies above referred to derive their name from the character of the trees planted

around the buildings. Thus Nusschhof derives its name from the walnut tree, Birkenhof from the birch, Eschenhof from the ash. The same rate of wages does not prevail in all of them or for every inmate, but at Nusschhof they generally receive Fr.40 a month in addition to their board and lodging. One of the inmates there at this time has been convicted over fifty times for vagabondage; after having served his time at Witzwyl he himself asked to go to Nusschhof, and he has already economised there over four hundred francs.

It seems unnecessary to enter into any extensive description of Tannenhof. The cellular system of course does not prevail. It is an establishment where an effort is made to get the most work out of the inmates consistent with their physical condition. Of course Tannenhof does not pay its expenses; it cannot be expected to do so in view of the character of its inmates. There is one feature, however, about Tannenhof which ought not to be lost sight of: practically all the inmates do some work; the old men drive carts, care for cattle, do light gardening, pick vegetables; and it is the experience of the director that they are much happier when so engaged than when allowed to remain idle. The same is true of the women, who practically all help in the domestic work.

As has already been stated, there are many other colonies of this kind in Switzerland; one, situated in the canton of Appenzell, also practically meets



its expenses, but Witzwyl is the only one which is surrounded by such sub-colonies as Nussdorf, Neuerhof, etc., and in this respect Switzerland offers an example which no country that is contemplating the institution of labour colonies can afford to neglect. The fact, however, that although all the Swiss labour colonies do not make their expenses, they are run upon a much cheaper plan than at Merxplas, seems to prove that a small agricultural colony can be run at a smaller expense than a large industrial one. Again, the juxtaposition of free and forced labour colonies under the same director permits of the transfer of inmates from one to the other with the least possible difficulty and friction. It would of course not do to leave such transfer entirely to the discretion of the director; he should in every case be required to bring the matter before a magistrate, and whenever it is suggested to transfer an inmate from a free to a forced labour colony, the inmate ought to have counsel assigned to him upon such a proceeding, if he desires it. The same thing applies to the transfer of an inmate from a forced labour colony to a penitentiary. On the other hand, all the inmates of a penitentiary ought to serve an apprenticeship in a forced labour colony, and through some such sub-colony as Nussdorf become gradually fitted for return to normal conditions.

The advantages of small agricultural over large industrial colonies may be summarised as follows:

1. They render possible a daily contact of the

director and the surveillants with the inmates, and, as a consequence, permit of a reforming influence impossible in a large colony.

2. Agricultural colonies run along the lines of Witzwyl do not compete with free labour. It has been objected that they might do so. It is obvious that if a labour colony were set down in the midst of a suburb devoted to market gardening, the products of such a labour colony would interfere with free labour. The institution of such a free colony in such a place is to be severely deprecated. Not only would it be unwise to organise such a colony in such a place out of regard for free labour, but it would be unwise to institute a labour colony in such a place out of regard for the institution itself. Such an institution, except under very extraordinary circumstances, ought to be established on ground not likely to be already used by market gardeners—that is to say, upon ground that needs the application of extraordinary human effort and human art to make it valuable. It is one of the advantages that labour colonies offer that the very ground which is unfitted for free labour is eminently fitted for forced. It is seldom profitable to apply free labour to the reclamation of bad land, for the obvious reason that free labour is expensive. When, however, labour is cheap, as in labour colonies, it can be safely applied to the reclamation of waste land, and furnishes the additional advantage to the community of reforming not only the land but the labourer also. Forced

labour ought to be applied to reclaiming land and reformed labour to tilling the land reclaimed. The application of waste labour to waste land reforms the one and reclaims the other.

The problem how to avoid injurious competition with free labour is essentially a local one and can only be solved by every colony for itself. At Witzwyl it is solved by selling produce not in the neighbourhood but by contract with distant hotels, and by growing beetroot, which competes with French and not with Swiss farmers who do not grow them. In England the same thing could be accomplished either by selling in distant markets such as London, or growing produce not grown in the neighbourhood.

3. The system of small agricultural colonies, as, for example, one for every county, would allow the specialisation of certain industries in certain colonies and the distribution of the inmates in such a manner as to give to every inmate the work for which he is best fitted. Thus, instead of having many cotton mills in different colonies, it would be preferable to have only one cotton mill to which all cotton operatives could be directed; the same for shoemaking, clockwork, etc. It must not be forgotten that a man accustomed to such delicate work as clock or watch making is rendered incapable of such work if he loses the delicacy of his fingering by being put to heavy agricultural labour. Consequently, in order to derive the greatest advantage possible from the work of the

inmates, it is wise to give to each the work to which he has been accustomed. Therefore instead of building industrial towns such as the one at Merxplas, it would be preferable to institute a series of small agricultural colonies, each one of which would have an industry peculiar to itself. It would not do, however, to carry out this system too rigorously, for in certain cases it would be indispensable to have more than one industry in the same colony. But this would not prevent such a specialisation of certain industries in certain colonies as would best secure the most profitable results.

Generally speaking, therefore, the following conclusions may be arrived at:

1. It is preferable to create several small agricultural colonies rather than a few large ones.

2. It is advisable to specialise industries in the colonies best fitted therefor.

3. A free colony ought to be instituted by the side of every forced colony in order to facilitate the transfer of the inmates from one colony to the other. This plan would permit the magistrate committing every case of vagrancy that came before him to a labour colony. It would relieve him of the necessity of determining whether the case be one to which blame should be attached or not—a thing which in view of the deficiency of evidence before him it is impossible for him to do, whereas on the contrary it would permit of a proper classification within the colonies after all the information has been

secured that would ensure such classification being correct and just.

4. A sufficiently large amount of land ought to be secured at once to enable the slow growth round the central colony of sub-colonies, which will gradually prepare the inmates for normal social conditions.

5. No permanent building should be constructed in advance. The system ought to come in operation early in the spring so as to enable the inmates to occupy temporary cabins and build their own buildings.

6. Every colony ought to have at its head a skilled farmer.

7. Surveillants ought to work together with the inmates.

To these general principles it may be well to add one or two supplementary observations.

There does not seem to be at Witzwyl the system of reward which is such an excellent feature of the colony of Merxplas, and there seems no reason why this excellent provision should not be borrowed from the Belgian institution. Moreover, it ought to be possible to give the inmates of every colony a direct interest in its prosperity by creating separate tables to which a different dietary would be applied, the best furnished tables being offered as a reward for the best work. Such a system would give to every inmate a direct interest in the growth of vegetables, fruit, and all such things as give variety to food.

Again, there is no reason why the unfortunate aged should any longer be sequestered as they now are in asylums when they can just as well form a part of free colonies where they will have the benefit of social life and can still render considerable service.

## CHAPTER III.

### APPLICATION OF CONTINENTAL SYSTEM OF LABOUR COLONIES TO ENGLAND.

THESE considerations bring us to a study of just how the conditions now prevailing in England as regards the treatment of misdemeanants, vagrants, indigents and unemployed can be modified so as to successfully deal with the same through the agency of labour colonies.

The Report of the Vagrancy Committee admirably states the evil of the system which now exists in England for the treatment of the unemployed as follows :—

“Between the Poor Law and the police the vagrant has flourished. It has been well said that the police authorities treat the vagrant as a criminal but do not punish him, while the Poor Law authorities treat him as a pauper but do not relieve him ” (“ Report Departmental Committee on Vagrancy,” vol. i., p. 120).

The Report proceeds to declare that the vagrant cannot be suppressed ; he must be specially treated, and that for such treatment it is essential that—

“he be detained under reformatory influences for long periods. Under such influences it may be possible to instil into him habits of work ; but even if this should not be achieved by prolonged detention such as we recommend, there are other reasons which render his

segregation necessary. To protect the public from the trouble and the nuisance which he causes, to prevent children being trained in his habits, and to deter others from adopting this life seem to us objects which amply justify the course proposed.

“Our recommendations constitute a complete scheme, of which the main feature is the establishment of labour colonies. We have considered that the casual wards cannot be dispensed with at present, but we suggest that the Poor Law authorities should be relieved of the care of the vagrant—a matter indeed which is outside, and interferes with, their proper functions. The natural authority for controlling the vagrant is the police, and under them we hope that a uniform system will be established throughout the country. For the *bonâ fide* work seeker we have suggested means which should enable him to receive preferential treatment and real assistance when he takes to the road.”

The complete scheme to which the Report refers is briefly as follows :—

The genuine unemployed are to be furnished with way-tickets under which they can be moved from casual ward to casual ward, where they are to receive preferential treatment and to be provided with a mid-day meal, in consideration for which they are to do two hours work per day. Vagrants are divided for the purposes of this report into three classes.

1. Habitual Vagrants, that is to say vagrants who have been “three or more times convicted during a period of, say, twelve months of certain offences now coming under the Vagrancy Act, viz., sleeping out, begging, refusing to perform a task in casual wards, or refusing or neglecting to maintain



himself so that he becomes chargeable to the poor rate" (para. 221) (*Vagrancy*, by Sir William Chance, p. 19). It is proposed to commit habitual vagrants to labour colonies for a term of not less than six months or more than three years.

2. A second class of vagrants, classified as "vagrants wandering to their own hurt," includes old, infirm and feeble-minded vagrants. It is proposed to detain these compulsorily in the workhouse.

3. There remains a third class termed ordinary vagrants, that is to say, all vagrants who have not yet been convicted three or more times for a period of, say, twelve months for offences coming under the Vagrancy Act. These are to be allowed to use the casual wards and to be given a mid-day meal, so that there may be no excuse for what is termed indiscriminate almsgiving.

If this plan is proposed as a provisional system to be applied until the buildings necessary to house the vagrants of England are constructed, it may be regarded—with the light thrown upon the subject by the Swiss colonies above described—as sound. Obviously, it will take a considerable time for labour colonies to be organised, and during that time it is advisable that the old, infirm and feeble-minded be housed in the workhouse, and ordinary vagrants be allowed to move from casual ward to casual ward. The report, however, recognises the great difficulty of convicting vagrants under the existing Act, in view of the difficulty

of identifying them and proving previous convictions, owing to the fact that by moving from one district to another the vagrant practically escapes all ordinary methods of identification, and therefore is able to pose in each district as a first offender. Obviously then, this large class of vagrants is certain to continue to infest British highways under the plan proposed for an unlimited period after the adoption of the proposed measures. It is probable that the Departmental Committee did not have brought sufficiently home to them the advisableness of instituting two classes of colonies—free labour colonies as well as forced labour colonies—when they made the foregoing suggestion; they were unwilling to commit to a forced labour colony a vagrant who appeared to be a first offender, and did not take into consideration the creation of free labour colonies to which it would be a mercy instead of a hardship to commit first offenders.

There are other objections, however, to leaving the ordinary vagrant to wander from casual ward to casual ward. In the first place the casual ward will still, as regards these, be intended to exercise a deterring effect, that is to say, the harsh methods indispensable to present management will be adhered to.<sup>1</sup> It hardly seems fair to the self-respecting working men who constitute the genuine

<sup>1</sup> "Thus he is to be detained for at least two nights in the casual ward, and, in case he has been admitted to the same ward more than once during the same month, for at least four nights."

unemployed that they should share the same building, although they enjoy preferential treatment, for to the ordinary vagrant the casual ward must continue to constitute a system of correction.


Again, the maintenance of casual wards for this dual capacity involves considerable expense. If the casual ward were confined to the genuine unemployed, the expense of the administration of the casual ward would be greatly diminished. The importance of the casual ward also would diminish, and with it the necessity of discussing the much disputed question as to the advisableness of transferring these casual wards to the police.<sup>1</sup> It will be eliminated by the committal of *all* vagrants, whether culpable or not, to forced and free labour colonies respectively.

European experience tends to the conclusion that the term of imprisonment proposed is too short. At Merxplas the minimum term is two years and the maximum seven, but by the system of diminishing the term for good conduct it is reduced to an average of thirteen months. In Switzerland the committal to forced colonies is for a term of two years, and this also is subject to reduction by good conduct. Upon this question public opinion has still to learn the lesson that punishment does not deter, that vagrancy is a

<sup>1</sup> It may be said, however, that if the casual wards are to be used for the genuine unemployed alone, it may not be necessary to have to remove the administration of these *from the poor law guardians.*

matter of habit, and that until the habit of vagrancy is replaced by the habit of work, restoration to normal life is unwise not only for the individual but also for the community.

It is indispensable that the labour colony be distinguished to the utmost possible from either the penitentiary on the one hand or the workhouse on the other. It is true that the forced labour colony partakes of the penitentiary and the free labour colony of the workhouse, and yet until the apparent similarity between these respective institutions is obliterated by a total change in the whole attitude of the management to the pauper, false notions will continue to prevail upon this subject. Candidates for labour colonies are unhappy people, and the effort of a labour colony ought to be to render them less unhappy, to improve their bodies, and by improving their bodies fit them for the enjoyment of life. Such discipline as is indispensable in these colonies should not be more strict nor otherwise regarded than the discipline of the hospital; the occasional use of the correction cell should represent in the labour colony what surgery represents in the hospital. No well man wants to go to a hospital; no more will any man fit for the competition of life want to subject himself to the discipline of a labour colony; men unfit for the competition of life are a danger to the community and to themselves; they should, in their own interests as well as those of the community, be put



where without expense to the community they can be rendered fit therefor. The whole object of the labour colony is to make the unfortunate less unfortunate on the one hand, and to relieve the community of the consequences of their misfortune on the other. It would be as insane to oppose the right of the community to isolate small-pox patients from the community on the ground of the rights of individual liberty as to refuse to isolate paupers and vagrants who constitute a source of infection wherever they are tolerated. Obviously vagrants, especially those coming under the class designated as incorrigible rogues, are likely to be as fretful under the discipline of a labour colony as many patients are under the discipline of a trained nurse. Their best welfare and the welfare of the community demands treatment. Of this there can no longer be any possible doubt. For thousands of years civilisation has been attempting to treat vagrancy by so-called deterrents and failed. This is the unanimous conclusion of all those who have studied the subject. Wherever, on the contrary, recompense has been substituted for punishment, the result has justified the substitution. This principle is now universally recognised by trainers of wild animals, who accomplish all their results by rewards, and use punishment only in extreme and exceptional cases.

If the free labour colony can be given the atmosphere of the home, such as prevails at Lühlerheim, there will be no desire to escape from

it until the inmate is fit for restoration to normal social conditions ; but should any individual unfit for such conditions desire to abandon the free colony, he can be easily induced to remain there by the fact that liberty should be given to the director to bring his case before the magistrate, with the alternative of commitment to a forced labour colony should the magistrate decide that the director is right in refusing consent to withdrawal from the institution. Under these conditions there should be no objection to the indeterminate sentence as regards these colonies. Indeed the words "sentence" and "committal" should be carefully avoided in connection therewith, and some other words found to indicate that a particular free colony is selected as the home to which the inmate is to be directed. Once in the home, the majority of the inmates would not desire to leave it until they are fit to leave it, and upon the few who may desire to leave it before they are fit, a gentle pressure could be exercised through the right of the director to bring the case before the magistrate. One of the great advantages of the labour colony system is that it furnishes an opportunity to the director to watch the progress of every inmate and slowly prepare him for restoration to social life. But obviously this matter should not be left to the director alone. He should be subjected to two checks : in the first place, any inmate, after the expiration of his minimum term, ought to be at liberty to bring his

case before the Court under Habeas Corpus proceedings; in the second place there ought to be attached to every labour colony group a committee, composed partly of officials and partly of non-officials, whose business it would be to keep informed regarding every case in the colonies, to whom every inmate of the colony could occasionally refer, and who would have the power not only to make recommendations to the director, but even to bring cases before the Court if they considered detention was being unduly prolonged.

Such a committee of patronage might constitute an influence of the greatest value in connection with labour colony groups, and in this connection a word may be said as regards the suggestion that labour colonies be entrusted in part to philanthropic initiative and enterprise.

In the first place, a distinction can be made upon this point between forced and free labour colonies. The latter might in some measure be left to philanthropic enterprise, but it seems difficult if not impossible to clothe philanthropists with the power of coercion necessary to the conduct of a forced labour colony. In the first place, philanthropic institutions very often owe their origin and usefulness to the labours of one man, at whose death they are likely to fail in their purpose and to perish for lack of funds. In the second place, there is a lack of continuity in the efforts of many philanthropists, to which a matter so important to the community as a forced labour colony should

not be surrendered. In the third place, although we are all familiar with exceptional instances where philanthropists have been willing to do the daily drudgery involved in the management of such an institution as a labour colony, it is a characteristic of some philanthropists that they are more willing to address assemblies than to keep books. All persons who have studied the administration of relief funds must be familiar with the extreme difficulty of utilising the fine impulses of some of our fellow citizens, without exposing sound social economy to the inconvenience that attends purely voluntary service. They are also familiar with the perfunctoriness that tends to characterise the work of officials. The task with which we are confronted is how to avoid the dangers attending perfunctoriness on the one hand and caprice on the other. This problem can probably best be solved by putting all matters of administration in the hands of paid officials, and constituting by their side committees of surveillance composed partly of philanthropists and partly of officials, thereby combining the humane interest of philanthropists with the experience of official co-operation. The presence of officials on the committee will ensure such committee acting, and the presence of philanthropists on the committee will tend to give to the action of the committee the element of humanity which officials tend in the routine of their work to lack.



A committee of patronage of this character was organised in Belgium, and its failure to act might be urged against this plan. But the failure of the committee of patronage in Belgium was due to obvious reasons. In the first place, it was not given sufficient power; in the second place, the colony at Merxplas is composed of so many individuals that any attempt on the part of the committee to become familiar with the five to six thousand cases there would have been vain. This again furnishes an additional reason why the colony group should be small, so that committees of surveillance organised to temper the action of the director may acquire a knowledge of every case in the institution to which they are attached, and may thus be encouraged to render service because their service can be effectual.

With the precautions above mentioned, the indeterminate sentence would lose all its inconvenience, for every inmate would be protected by right of his individual appeal to the courts at the expiration of the minimum term, and by the support of the committee of patronage whenever his case seemed to the committee worthy of support.

As regards size, the Departmental Committee suggested that the number of inmates should not exceed 500. It is probable that even this limit is too large, and that no group of colonies should much exceed 300. The Departmental Committee seems to think that it is not advisable that these

colonies be multiplied. It seems to give as a reason therefor that every small colony would be more costly. The experience of Switzerland shows on the contrary that it is the small colonies that pay their way and the large colonies that are expensive, but this subject has been already sufficiently insisted upon.

*Cost.*—The committee estimated that the net cost of food, clothing, and maintenance in the colony should not exceed 4s. weekly, or £10 8s. per year for each colonist. The experience of Switzerland tends to show that the colonies would ultimately become self-supporting ; but obviously, during the time of construction, the colonies will constitute an expense, and it would be well to provide for at least the sum above mentioned, half of which, as suggested by the committee, should be contributed by the State and the other half by the local rates. But here again it may be well to repeat that costly buildings are to be avoided. We have to recognise that in creating labour colonies for the isolation of all the vagrants in England, the present generation is undertaking a task which, though heavy for ourselves, will be immensely lightened for those who are to succeed us ; for, by isolating the present generation, the production of new generations will be in great part checked. It is probable that the vagrant population of England and Wales can hardly be less than 9750 (January 1st, 1905) ; it is probably much larger ; by taking these vagrants off the streets and high

roads, the number of vagrants in England so to be cared for will be eventually greatly diminished. In the first place, vagrancy will not continue to be propagated by example ; in the second place, it will not be propagated by seduction ; and in the third place, it will not be propagated by heredity. When these three sources of propagation are eliminated, it is probable that after the present generation of vagrants has either died off or been slowly restored to the community, their places will only be partially filled by succeeding generations, and that not only the cause of vagrancy will greatly diminish in the future, but also the cause of crime to which vagrancy undoubtedly gives rise.

But if this increasing flood of vagrancy is to be checked, our dam must be complete ; there must be no leak or weak spot either in the dam itself or in the banks above the dam. To this end attention should be directed to the fact that at the present time vagrancy is chiefly alimented by the conviction of the so-called juvenile adult between the ages of sixteen and twenty-one. Under the age of sixteen, youths who have committed misdemeanours are provided for in industrial schools and reformatories, but over the age of sixteen they are imprisoned for begging and sleeping out, although it is probable that in many cases the act of begging and sleeping out is one for which the delinquent is entirely blameless. This system was condemned as long ago as 1836 in a special report on the Juvenile Depredator, issued by the Commission of

Prisons in that year.<sup>1</sup> The increase in these convictions of late years is alarming. In 1900, the total convictions of juvenile adults in England and Wales was 742; in 1901, 863; in 1902, 1,016; in 1903, 1,147; in 1904, 1,390,—over 35 per cent. of the prisoners serving sentences of three months and upwards. On May 10, 1906, at Pentonville, there were 35 per cent. under twenty-one when their first offence was committed; at Durham 41, Birmingham 57, Liverpool 47, Manchester 45 per cent. The Commissioners of Prisons in 1895 reported over 16,000 lads under twenty-one as having passed through British prisons in the previous year. It is true that the so-called Borstal system has been applied to all cases of over twelve months' imprisonment, so far, with excellent results. The Borstal system is nothing more nor less than the forced labour colony system, except that it is conducted in a prison and through industrial work instead of being conducted in a farm colony through agricultural work. The system began in 1902. Out of 76 lads who passed into the care of the Association in the year ending May 31st, 1905, a wholly satisfactory account was given of 36. Of 81 dealt with in the following ten months, 40, at the time of the issue of the Report, "were known to be at work, mostly good work; nine had gone

<sup>1</sup> On this subject "The Making of the Criminal," by Messrs. Russell and Rigby, can be read with advantage. It is from this book that the following facts have been taken.

home to work in the provinces ; six were on hand ; six had disappeared ; four were given up as they would not co-operate with the Society, and sixteen had been re-convicted."

Without entering at the present time too particularly into the Borstal system, the discipline is probably too severe and expensive, although the fact that rewards have been largely substituted for punishment has demonstrated the advantage of this plan. Obviously what has been done in the prisons by the Borstal system can be done better and cheaper in the labour colonies by the methods of discipline already familiar there. The adoption of children's courts, and of the probation system described fully by Messrs. Russell & Rigby, ought to be introduced into England, so that, in so far as vagrancy is the result of juvenile misdemeanours, it may be checked here at its source.

## CHAPTER IV.

### INDISCRIMINATE ALMSGIVING, AND CONCLUSION.

AT the risk of wearisome repetition, a final word must be said on the subject of almsgiving. The Report of the Departmental Committee very justly points out that vagrancy flourishes upon it ; that if vagrants had no compassionate neighbours, shelters, soup kitchens, etc., to depend upon, they would be driven to seek work in the absence of charity ; and cites with favour the laws passed in some cantons of Switzerland that make almsgiving a penal offence.

Such laws may seem to old-fashioned Christians as a somewhat distant departure from the injunction : " He that giveth to the poor, lendeth to the Lord," but it is of the utmost importance to remember that while such a law would, under present conditions, be altogether wicked in England, the conditions that prevail in Switzerland make it not only wise, but a necessary part of the practical philanthropy instituted there.

The reason why, in spite of the care taken by the Charity Organisation Society to distinguish deserving from undeserving cases, men and women continue to give alms indiscriminately, is because England has no adequate provision for either.

There are many good hearts left in England, and to a few there are also added some heads that ask the extremely pertinent question: Are not undeserving cases also entitled to consideration? Mr. Burns seems to think they are not: Is this so?

In the first place, it may be laid down as an indispensable fact that no perfectly *healthy* man or woman prefers begging to working. Normal people are not only willing to work, but even unhappy if they are not working. Laziness is due either to temperamental defect or to wealth that makes work unnecessary, and to poverty that makes it impossible. The healthy working men, tradesmen and farmers that constitute about four-fifths of the population work as naturally as they eat or sleep; it is only when we move away from the wholesome average man to the extremely wealthy on the one hand and the extremely poor on the other that we find unwillingness to work developed to the point of vice. With this vice in the rich we are not at present concerned; it is the effect of this vice in converting poverty into pauperism, vagrancy and crime that we have to consider.

It is quite useless in this connection to inveigh against existing industrial conditions; they may be revolutionised some day; but now at this moment they are producing paupers, vagrants and criminals faster than we are relieving or punishing them; and the insistent problem before us is how best to handle *these unhappy* people, not only in mercy to them

but in justice to ourselves. We have a duty to those who are worn out by our competitive system, and we have a right to protect ourselves from the evils to which their existence necessarily gives rise.

The moral responsibility of this industrial waste, which the Charity Organisation Society assumes by its classification into deserving and undeserving cases, is not proved. The symptoms of overwork are not always the same. Many moralists would be quite satisfied if exhausted artisans would regularly and respectably die in hospitals of tuberculosis, consumption and other easily diagnosed diseases ; but some tired workmen, in unconscious need of more concentrated nourishment than their table can afford, have recourse to alcohol ; this in the first instance may be altogether innocent ; a mere accident may reveal that a glass of whiskey will enable them to finish a day's work without which they would be obliged to throw up the sponge ; the very eagerness to accomplish their task in the allotted time is sometimes the inducement to drink ; they do not know that the medicine to which they have recourse will end by becoming a poison with which they cannot dispense, and through which a self-respecting working man in the effort, with failing strength, to support his family, becomes a drunkard and entitled to the label Undeserving Case.

Others are thrown by repeated sickness out of regular employment ; they are reduced to pick up odd jobs for a living ; they become casuals ; their



leisure is necessarily spent in public-houses where they, like their richer brothers, have to kill time, and do it at the expense of their morals and of their self-respect; they become less and less fitted for regular work, and gradually become converted into vagabonds, "incorrigible rogues," and entitled to the label Undeserving Case.

Others, again, express their exhaustion in moroseness and even brutality; husband and wife scold and beat one another; the home is rendered insupportable and breaks up; the women resort to the public and worse; the men to the streets and highways. There are occasional unhappy marriages in the upper class, but they do not lead to vagabondage; wealth makes it possible for ill-assorted couples to live in different apartments under the same roof; but perpetual quarrels between husband and wife in the presence of children and in a single room render life insupportable. The same evil which only produces inconvenience among the rich drives the poor to drink and vagabondage; and thus, whether the responsible authors of their wretchedness or not, they are equally entitled to the label Undeserving Case.

The above is not intended to support the theory that there is no difference between one case of poverty and another; on the contrary, there is a classification which runs very nearly parallel with that of the Charity Organisation Society, but differs from it in some important particulars.

In the first place, society is as much concerned

with the undeserving cases as with the deserving cases ; both, if neglected, result in injury to society, and undeserving cases much more rapidly than the deserving.

In the second place, the question of moral responsibility is a matter of opinion as to which the best intentioned can materially differ ; it cannot therefore constitute a satisfactory basis for classification.

In the third place, the essential difference between the cases which can properly be relieved by private means and those which can only be properly handled by the State is that in the one relief intelligently given may save the case from pauperism, while in the other no temporary relief is likely to be of permanent service. Here is the touchstone : is it poverty or pauperism ? If mere poverty, if purely accidental, temporary and preventable, then it is infinitely better that the case be handled by individual and friendly relief than that it should be allowed to swell the pauper residuum from which it can with greater difficulty be rescued.

If the above is a correct exposition of the problem of pauperism, it would seem as though we should have to restate some of the formulæ which tend to mislead the British mind.

There are no undeserving cases of pauperism if by undeserving is meant—*pace* Mr. Burns—undeserving of consideration.

There are cases of *poverty* that can by timely and intelligent relief be saved from *pauperism*.

All cases of pauperism *must* be handled by the State, not only out of mercy to them but out of justice to ourselves.

It is only when the State handles every case of pauperism that almsgiving can be condemned ; for if a single case is left unprovided for, that case is one that justifies almsgiving ; whereas if *all* cases are provided for, almsgiving is wrong because it prevents or postpones the application to the person receiving alms of the system created for his benefit.

That all cases of pauperism can be handled by the State at no expense beyond that of installation has been proved by the Swiss labour colonies.

That all cases of pauperism can be so handled without injustice to the paupers and even without undue invasion of individual liberty has been demonstrated by the operation of the double system of free and forced labour colonies.

That many cases of pauperism are capable of reformation seems indicated by the Borstal experiment in England, and still better through the sub-colony plan of Witzwyl.

And thus we are led to a possible solution of the problem of pauperism.

For the temporarily unemployed, temporary relief work ;

For those in search of employment, way tickets and casual wards ;

For the unemployables, free labour colonies wherever possible, forced colonies wherever necessary ; these colonies should be small and agricultural,

rather than large and industrial ; paying their own expenses ; not competing with free labour. And if once started under the management of practical farmers, assisted by committees of surveillance, it is not improbable that they will end by furnishing temporary relief work for the unemployed, employment for those seeking it, and a less dreary, expensive, and useless life to the aged and infirm ; so that they will eventually replace not only the workhouse and almshouse, but also the casual ward ; and later on even penitentiaries and prisons may yield up their hardened inmates to wholesome contact with Mother Earth ; we may no longer with the agony of a Hercules have to hold up this weighty Antaeus from the source of his strength, and the words of Seneca may at last receive their application, "*poena non irascitur sed cavet.*"

## APPENDIX.

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Contract between the Colony of Nusshof, near Witzwyl, of the first part, and \_\_\_\_\_, colonist, of the second part.

1. The undersigned, who enters the Colony of his own free will, for the purpose of working there, agrees to obey the rules and regulations of the said Colony, to stay at least two months, and to inform the managers of his intention to leave at least a week in advance.

2. Articles of clothing which have not been paid for by the colonist must be left behind on leaving; he is only entitled to such clothes as he brought with him.

3. Every inmate is given lodging, sufficient food, and working clothes, so that he has no expenses whatever. He shall be cared for in the Colony in case of temporary sickness (unless brought on through the inmate's own fault).

4. Wages vary from 50 centimes to Fr.1.50 per day, in accordance with Articles 8 and 9 of the Rules.

If the inmate is expelled during the first two months (Article 4 of the Rules), he is not entitled to receive any wages.

5. As regards payment of wages, Article 10 of the Rules applies. Every inmate, upon being admitted to the Colony, is informed of the Rules.

In case of disagreement, the question shall be brought before and settled by the Witzwyl Institution.

Witzwyl, this \_\_\_\_\_ day of \_\_\_\_\_, 190 .

## RULES AND REGULATIONS OF NUSSHOF COLONY.

1. The Witzwyl Colony has a home at Nussdorf for discharged inmates, the object of which is to provide those among the latter who wish to make better use of their liberty, with a home to be considered as an intermediary stage between the Forced Labour Colony and the outer world.

As long as there is room, unemployed workmen are free to enter the home and to work there on the same lines as the other colonists.

2. Employment is given and a contract entered into between the foremen and the colonists.

3. Colonists must furnish proof that their late conduct has been satisfactory.

Cripples or workmen suffering from infectious diseases are not admitted.

4. Colonists must obey the rules of the establishment. Drunkenness and unruly behaviour are followed by immediate dismissal.

5. Colonists are not allowed to leave Witzwyl without an authorisation from the Director.

6. Colonists who have shown industry and capacity can attain positions of trust.

7. Colonists receive free board and lodging, and working clothes.

Special agreements are entered into with skilled labourers as regards remuneration.

8. Colonists who enter the establishment in the winter (December 1st to the end of February) receive no wages during that time. Those who enter in the summer or autumn (March 1st to the end of December), and whose work is satisfactory, receive reduced wages during the winter months.

9. Wages vary from 50 centimes to Fr.1.50 per day. The foremen fix the wages in the beginning.

10. During the time of the contract, the managers fix the amount of wages. A part of the men's wages is spent on clothes and linen; the rest is placed to their credit unless paid out for the maintenance of the colonist's family.

O. KELLERHALS, Director.

WITZWYL, *June*, 1905.

